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Dated: 1/18/2013

Plaintiff's request is GRANTED. The Case Management
Conference is continued to April 18, 2013 at 10:00 a.m.
in Courtroom B, 15th Floor.

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA DIVISION

THE BOARD OF TRUSTEES, in their capacities
as Trustees of the LABORERS HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA; LABORERS VACATION-
HOLIDAY TRUST FUND FOR NORTHERN
CALIFORNIA; LABORERS PENSION TRUST
FUND FOR NORTHERN CALIFORNIA; and
LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiff,

v.

PROTECH SERVICES, INC., a California
corporation, individually and doing business as
PROTECH GENERAL CONTRACTING
SERVICES

Defendant.

No. 12-cv-1047 MEJ

STATUS REPORT

Honorable Maria Elena James

Pursuant to the Court's January 4, 2013 Order in the above-referenced matter, Plaintiffs
hereby submit this Status Report.

1 Plaintiffs filed the complaint in this case on March 1, 2012. Defendant, Protech Services,
 2 Inc., a California Corporation, individually and doing business as Protech General Contracting
 3 Services ("Defendant"), was served by personal service on June 8, 2012, for which proofs of
 4 service were filed with this court on June 20, 2012.

5 On June 14, 2012, Plaintiffs' counsel was contacted via telephone by Defendant's counsel,
 6 Michael M. Noble, who stated that he would be filing an answer. Plaintiffs awaited the filing of
 7 the answer, which never came. On July 2, 2012, Plaintiffs' counsel received an Answer by mail
 8 that had not been filed with the Court. Plaintiffs' counsel made several phone calls to Mr.
 9 Noble's office to notify him of this fact and did not receive a response. On August 6, 2012,
 10 Plaintiff's counsel sent Mr. Noble correspondence letting him know that the Answer had not been
 11 filed and requesting confirmation that Mr. Noble continued to represent the Defendant in this
 12 matter. Mr. Noble did not respond.

13 On October 2, 2012, Plaintiffs requested that the Court enter Defendant's Default. Default
 14 was entered on October 4, 2012.

15 On or around November 16, Plaintiffs' counsel was contacted by telephone by a new
 16 attorney representing Defendant, David. S. Barrett. Plaintiffs are currently engaged in ongoing
 17 settlement discussions with Defendant's counsel, and expect to reach a full resolution of this
 18 matter.

19 Given these facts, Plaintiffs request that Case Management Conference be continued for
 20 an additional ninety days in order to allow time for resolve this matter through settlement.

21
 22
 23 Dated: January 17, 2013

WEINBERG, ROGER & ROSENFELD
 A Professional Corporation

24
 25 By: /s/ Daniel S. Brome
 DANIEL S. BROME
 26 Attorneys for Plaintiffs

27 130385/700376
 28

**PROOF OF SERVICE
(CCP §1013)**

I am a citizen of the United States and resident of the State of California. I am employed in the County of Alameda, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years and not a party to the within action.

On January 17, 2013, I served the following documents in the manner described below:

STATUS REPORT

- ☒ (BY U.S. MAIL) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing with the United States Parcel Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Alameda, California.
- ☐ (BY MESSENGER SERVICE) by consigning the document(s) to an authorized courier and/or process server for hand delivery on this date.
- ☐ (BY FACSIMILE) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of document(s) to be transmitted by facsimile and I caused such document(s) on this date to be transmitted by facsimile to the offices of addressee(s) at the numbers listed below.
- ☐ (BY OVERNIGHT MAIL) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for overnight delivery, and I caused such document(s) described herein to be deposited for delivery to a facility regularly maintained by United Parcel Service for overnight delivery.
- ☐ (BY PERSONAL DELIVERY) I caused such envelope to be delivered by hand to the offices of each addressee below.

On the following part(ies) in this action:

Mr. Chris Ott
Protech Services, Inc.
61 Glenwood Drive
Napa, CA 94559

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 17, 2013, at Alameda, California.

/s/ Karen Scott
Karen Scott